

§ 35B-2. Definitions.

The following definitions apply in this Chapter:

- (1) Adult. – An individual who has attained 18 years of age.
- (2) Court. – For purposes of this Chapter, where the word "court" is used, it means the clerk of the superior court to the same extent that the clerk of superior court has original subject matter jurisdiction over incompetency and guardianship proceedings under Chapter 35A of the General Statutes.
- (3) General guardian. – "General guardian" has the same meaning as in G.S. 35A-1202. For purposes of this Chapter, (i) the term is limited to general guardians for adults and (ii) the general guardian shall have the same authority to act as the guardian and the guardian of the estate as set forth herein.
- (4) Guardian of the estate. – "Guardian of the estate" has the same meaning as in G.S. 35A-1202. For purposes of the Chapter, the term is limited to guardians of the estate for adults.
- (5) Guardian of the person. – "Guardian of the person" has the same meaning as in G.S. 35A-1202. For purposes of this Chapter, the term is limited to guardians of the person for adults.
- (6) Guardianship order. – An order appointing a guardian of the person or general guardian. For the purposes of this Chapter, an order appointing a guardian of the estate, general guardian, or other order related to the management of an adult's property is referred to as a protective order as defined in subdivision (14) of this section.
- (7) Guardianship proceeding. – A judicial proceeding in which an order for the appointment of a guardian of the person or general guardian is sought or has been issued pursuant to Chapter 35A of the General Statutes.
- (8) Incapacitated person. – An adult for whom a guardian of the person or general guardian has been appointed.
- (9) Incompetency order. – An order adjudicating incompetence of an adult.
- (10) Incompetency proceeding. – A judicial proceeding in which an order adjudicating a person to be an incompetent adult is sought or has been issued pursuant to Chapter 35A of the General Statutes.
- (11) Party. – The respondent, petitioner, guardian of the person, general guardian, guardian of the estate, or any other person allowed by the court to participate in an incompetency, guardianship, or protective proceeding.
- (12) Person. – An individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity. This definition does not apply to the terms "incapacitated person" or "protected person."
- (13) Protected person. – An adult for whom a protective order or general guardianship order has been issued pursuant to Chapter 35A of the General Statutes.
- (14) Protective order. – An order appointing a guardian of the estate, general guardian, or other order related to management of an adult's property entered pursuant to Chapter 35A of the General Statutes.
- (15) Protective proceeding. – A judicial proceeding in which an order appointing a general guardian or a protective order is sought or has been issued under Chapter 35A of the General Statutes.

- (16) Record. – Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (17) Respondent. – An adult for whom an adjudication of incompetence, a protective order, or a guardianship order is sought.
- (18) State. – A state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, a federally recognized Indian tribe, or any territory or insular possession subject to the jurisdiction of the United States.
(2016-72, s. 1.)